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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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5
X. Corp.,

Plaintiff,

Case No. 3:23-CV-03698-WHA

6
v.

BRIGHT DATA LTD.

7
Defendant

[Proposed] Order Granting Bright Data's
Motion to Dismiss the
Amended Complaint

8
PROPOSED ORDER

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10 The Court, having considered Defendant Bright Data, Ltd.'s ("Bright Data") Motion to
11 Dismiss the Amended Complaint, the papers filed in support, and in opposition thereto, and any
12 oral argument with respect thereto,

13 IT IS HEREBY ORDERED that:

14 1. Bright Data's Motion to Dismiss the Amended Complaint is GRANTED.
15 2. X's Tortious Interference Claim (Count II of the Amended Complaint,
16 ECF 36) is DISMISSED pursuant to Rule 12(b)(2) for lack of personal
jurisdiction.
17 3. X's Unjust Enrichment Claim (Count III of the Amended Complaint,
18 ECF 36) is DISMISSED pursuant to Rule 12(b)(2) for lack of personal
jurisdiction.
19 4. X's Trespass to Chattels Claim (Count IV of the Amended Complaint,
20 ECF 36) is DISMISSED pursuant to Rule 12(b)(2) for lack of personal
jurisdiction.
21 5. X's Unlawful, Unfair or Fraudulent Business Practices Claim (Cal. Bus.
22 & Prof. Code § 17200 et seq.) (Count V of the Amended Complaint, ECF
23 36) is DISMISSED pursuant to Rule 12(b)(2) for lack of personal
jurisdiction.
24 6. X's Misappropriation Claim (Count VI of the Amended Complaint, ECF
25 36) is DISMISSED pursuant to Rule 12(b)(2) for lack of personal
jurisdiction.
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7. X's Tortious Interference Claim (Count II of the Amended Complaint, ECF 36) is DISMISSED pursuant to Rule 12(b)(6) for failure to state a claim upon which relief can be granted.
8. X's Unjust Enrichment Claim (Count III of the Amended Complaint, ECF 36) is DISMISSED pursuant to Rule 12(b)(6) for failure to state a claim upon which relief can be granted.
9. X's Trespass to Chattels Claim (Count IV of the Amended Complaint, ECF 36) is DISMISSED pursuant to Rule 12(b)(6) for failure to state a claim upon which relief can be granted.
10. X's Unlawful, Unfair or Fraudulent Business Practices Claim (Cal. Bus. & Prof. Code § 17200 et seq.) (Count V of the Amended Complaint, ECF 36) is DISMISSED pursuant to Rule 12(b)(6) for failure to state a claim upon which relief can be granted.
11. X's Misappropriation Claim (Count VI of the Amended Complaint, ECF 36) is DISMISSED pursuant to Rule 12(b)(6) for failure to state a claim upon which relief can be granted.
12. X's Breach of Contract Claims based on individuals' X user accounts listed in paragraphs 36 and 37 of the Complaint (Count I of the Amended Complaint, ECF 36) are DISMISSED pursuant to Rule 12(b)(6) for failure to state a claim upon which relief can be granted.

SO ORDERED.

DATED:

The Hon. William Alsup
United States District Judge